



PATENT
Customer No. 22,852
Attorney Docket No. 05725.1310-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Grégory PLOS et al.

Application No.: 10/814,300

Filed: April 1, 2004

For: COMPOSITION FOR DYEING HUMAN
KERATIN MATERIALS, COMPRISING AT
LEAST ONE FLUORESCENT DYE AND AT
LEAST ONE POLYOL, PROCESS
THEREFOR AND USE THEREOF

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) Group Art Unit: 1751
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) Examiner: Eisa B. Elhilo
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) Confirmation No.: 8608
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) Notice of Allowance
) dated December 12, 2006
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BOX ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants thank the Examiner for the Notice of Allowability and Statement of Reasons for Allowance dated December 12, 2006. Without withdrawing the claims from issue, Applicants submit these comments to clarify the record.

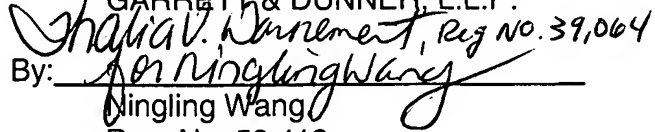
The Examiner states in his Reasons for Allowance that "[t]he closest prior art of record (US 2001/0054206 A1) alone or in combination with [US 2003/0019052] does not teach or disclose" the claimed invention. Notice of Allowability, page 2. Applicants agree with the Examiner's conclusion, but respectfully submit that the reason provided by the Examiner for withdrawing all of the rejections on record is not complete, as discussed below.

On the record, the Examiner had rejected claims 1-14, 16, 19-21, 26-43, 46, and 50-59 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0054206 to Matsunaga et al. ("*Matsunaga*") in view of U.S. Patent Application Publication No. 2003/0019052 to Pratt ("*Pratt*"), claims 15 and 44 under 35 U.S.C. § 103(a) as being unpatentable over *Matsunaga* in view of *Pratt* and further in view of EP 1 142 559 to Miyabe et al. ("*Miyabe*"), claims 22-24 under 35 U.S.C. § 103(a) as being unpatentable over *Matsunaga* in view of *Pratt* and further in view of U.S. Patent No. 6,391,062 to Vandebossche et al. ("*Vandebossche*"), claim 25 under 35 U.S.C. § 103(a) as being unpatentable over *Matsunaga* in view of *Pratt* and further in view of U.S. Patent No. 5,744,127 to Giuseppe et al. ("*Giuseppe*"), and claim 49 under 35 U.S.C. § 103(a) as being unpatentable over *Matsunaga* in view of *Pratt* and further in view of U.S. Patent No. 6,436,153 to Rondeau et al. ("*Rondeau*"). Final Office Action dated August 28, 2006. In view of the Amendment and Submission under 37 C.F.R. § 1.114 filed November 28, 2006, the Examiner withdrew all of the rejections on record. See Notice of Allowance. Therefore, Applicants respectfully submit that not only "[t]he closest prior art of record (US 2001/0054206 A1) alone or in combination with [US 2003/0019052]," but also other secondary references on record, as well as all of the references that have been considered by the Examiner during the prosecution of this application, do not teach or suggest the claimed invention.

Please grant any extensions of time required to enter this paper and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
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Dated: March 6, 2007